

THE MARYLAND COURT SYSTEM

Host:

WHAT ARE THE DIFFERENCES BETWEEN THE VARIOUS COURTS IN MARYLAND? THIS VIDEO WILL HELP YOU UNDERSTAND THE LEVELS OF THE MARYLAND STATE COURTS AND WHAT THOSE COURTS DO.

THIS VIDEO IS DIVIDED INTO THREE PARTS.

IN PART ONE, YOU WILL LEARN ABOUT THE MARYLAND TRIAL COURTS.

IN PART TWO, YOU WILL LEARN ABOUT THE MARYLAND APPELLATE COURTS.

AND IN PART THREE, YOU WILL HEAR ABOUT SEVERAL OTHER JUDICIAL BODIES IN OUR STATE.

THERE ARE FOUR LEVELS OR TYPES OF COURTS IN THE MARYLAND COURT SYSTEM: TWO TRIAL COURTS AND TWO APPELLATE COURTS. TRIAL COURTS CONSIDER EVIDENCE PRESENTED IN A CASE AND MAKE JUDGMENTS BASED ON THE FACTS AND THE LAW.

APPELLATE COURTS REVIEW THE TRIAL COURT'S ACTIONS AND DECISIONS, AND DECIDE WHETHER THE TRIAL JUDGE PROPERLY FOLLOWED THE LAW. WHEN REVIEWING JURY TRIALS, THE APPELLATE COURT MAY HAVE TO DECIDE WHETHER THE JURY'S DECISION WAS PROPER, GIVEN THE FACTS PRESENTED AND THE APPLICABLE LAW. WE WILL TALK MORE ABOUT THE WORK OF APPELLATE COURTS A LITTLE LATER IN THIS VIDEO.

THE DISTRICT COURT OF MARYLAND HAS 34 COURT LOCATIONS AROUND THE STATE.

THE DISTRICT COURT HEARS THE MOST CASES OF ANY OF THE COURTS IN MARYLAND. MOST MARYLANDERS WHO HAVE HAD TO GO TO COURT IN MARYLAND HAVE BEEN TO DISTRICT COURT.

THE DISTRICT COURT HEARS SOME CRIMINAL MATTERS INCLUDING TRAFFIC VIOLATIONS...

MISDEMEANORS, OR CRIMES WITH LOWER PENALTIES...

AND SOME LIMITED FELONIES, OR MORE SERIOUS CRIMES...

THE DISTRICT COURT ALSO HEARS CIVIL, OR NON-CRIMINAL MATTERS. THESE ARE CIVIL CASES WITH CLAIMS OF \$30,000 OR LESS...

DOMESTIC VIOLENCE CASES...

LANDLORD/TENANT MATTERS...

AND REPLEVIN – CASES WHERE SOMEONE IS SEEKING THE RETURN OF GOODS THEY CLAIM WERE WRONGFULLY TAKEN OR HELD – AND SMALL CLAIMS MATTERS – CASES INVOLVING A CLAIM FOR \$5000 OR LESS.

THERE ARE NO JURY TRIALS IN DISTRICT COURT SO, IF A PERSON IS IN COURT FOR ONE OF THESE MATTERS, AND CANNOT REACH AN AGREEMENT WITH THE OTHER SIDE, THE DECISION WILL BE MADE BY A DISTRICT COURT JUDGE. CRIMINAL DEFENDANTS WHO WANT A JURY TRIAL HAVE THEIR CASES TRANSFERRED TO CIRCUIT COURT.

NOW LET'S LOOK AT THE CIRCUIT COURTS.

THERE IS ONE MARYLAND CIRCUIT COURT IN EACH OF THE STATE'S 23 COUNTIES, AS WELL AS ONE IN BALTIMORE CITY.

ALL CASES INVOLVING JURY TRIALS ARE HEARD IN THE CIRCUIT COURTS, ALTHOUGH NOT ALL CIRCUIT COURT CASES INVOLVE JURIES.

IN THOSE CASES, THE JUDGE WILL MAKE THE DECISION IF THE PARTIES DO NOT COME TO SOME KIND OF AGREEMENT.

CIRCUIT COURTS GENERALLY HEAR MORE SERIOUS CRIMINAL MATTERS INCLUDING JUVENILE CASES. . .

CHILD PROTECTION CASES. . .

FAMILY MATTERS SUCH AS DIVORCE, CUSTODY OR CHILD ACCESS AND CHILD SUPPORT...

DOMESTIC VIOLENCE MATTERS...

AND MOST APPEALS FROM THE DISTRICT COURT...

AS MENTIONED BEFORE, THE CIRCUIT COURT ALSO HEARS ANY CIVIL OR CRIMINAL MATTER FROM THE DISTRICT COURT WHERE ONE OF THE PARTIES ASKS FOR A JURY TRIAL.

TWO OTHER COURTS IN MARYLAND HEAR APPEALS FROM THE TRIAL COURTS.

A PERSON WHO HAS BEEN INVOLVED AS A PARTY IN A CASE HAS A RIGHT TO APPEAL TO A HIGHER COURT IF THE PERSON FEELS THE TRIAL COURT REACHED AN IMPROPER DECISION IN THE CASE. THE INDIVIDUAL MAY APPEAL A DECISION OF THE DISTRICT COURT BY ASKING THAT THE CASE BE REVIEWED BY THE CIRCUIT COURT. IF SOMEONE IS UNHAPPY WITH A CIRCUIT COURT DECISION, THAT PERSON MAY, AS A MATTER OF RIGHT, ASK THAT HIS OR HER CIRCUIT COURT CASE BE REVIEWED BY THE COURT OF SPECIAL APPEALS.

MARYLAND APPELLATE COURTS DO NOT HOLD TRIALS, TAKE EVIDENCE OR HEAR TESTIMONY.

WHEN A PERSON APPEALS TO ONE OF THESE COURTS, THAT PERSON AND THE OTHER SIDE WILL BOTH BE REQUIRED TO FILE A BRIEF, A DOCUMENT DETAILING WHY THEY THINK THE TRIAL COURT DECISION WAS INCORRECT OR, IF THEY OPPOSE THE CHANGE, WHY IT WAS CORRECT.

BOTH INDIVIDUALS OR PARTIES WILL USUALLY BE INVITED TO APPEAR BEFORE THE COURT WHERE EACH INDIVIDUAL OR EACH PERSON'S LAWYER WILL GIVE A SHORT ORAL ARGUMENT ABOUT WHY THE COURT SHOULD RULE IN HIS OR HER FAVOR.

THERE ARE THIRTEEN JUDGES ON THE MARYLAND COURT OF SPECIAL APPEALS.

THEY USUALLY HANDLE CASES IN PANELS OF THREE, SO WHEN A PERSON APPEARS BEFORE THE COURT, HE OR SHE WILL USUALLY SEE THREE JUDGES SITTING ON THE BENCH. THE JUDGES MAY ASK QUESTIONS DURING THE ORAL ARGUMENT.

THE DECISION IS NORMALLY NOT MADE ON THE DAY THE PARTIES APPEAR FOR ORAL ARGUMENT. RATHER, THE JUDGES WILL TAKE TIME TO REVIEW THE ARGUMENTS AND THE FACTS, IN LIGHT OF MARYLAND LAW.

THEY NORMALLY ISSUE A WRITTEN OPINION WHICH THE PARTIES OR THEIR LAWYERS WILL RECEIVE BY MAIL SOME TIME AFTER THE ARGUMENT.

THE MARYLAND COURT OF APPEALS, THE STATE'S HIGHEST COURT, OPERATES IN A SIMILAR MANNER.

HOWEVER, INDIVIDUALS DO NOT HAVE A RIGHT TO HAVE THEIR CASE HEARD BY THIS COURT. IF AN INDIVIDUAL IS UNHAPPY WITH THE DECISION OF THE COURT OF SPECIAL APPEALS, HE OR SHE MAY APPEAL TO THE COURT OF APPEALS AND ASK THAT THEY REVIEW THE CASE.

THE COURT OF APPEALS JUDGES REVIEW THESE REQUESTS AND SELECT CASES THEY CHOOSE TO HEAR – USUALLY CASES THEY FEEL WILL HAVE LEGAL SIGNIFICANCE FOR OUR STATE. THERE ARE A FEW CASE TYPES THEY ARE REQUIRED TO HEAR, INCLUDING THOSE INVOLVING THE DEATH PENALTY.

ALL SEVEN JUDGES ON THE COURT OF APPEALS WILL NORMALLY HEAR ORAL ARGUMENTS IN A CASE AND LIKE IN MARYLAND'S OTHER APPELLATE COURT, THE DECISION IS NORMALLY NOT MADE ON THE DAY THE PARTIES APPEAR FOR ORAL ARGUMENT. RATHER, THE JUDGES WILL TAKE TIME TO REVIEW THE ARGUMENTS AND THE FACTS, IN LIGHT OF MARYLAND LAW.

THE COURT WILL ISSUE A WRITTEN OPINION WHICH THE PARTIES OR THEIR LAWYERS WILL RECEIVE BY MAIL SOME TIME AFTER THE ARGUMENT.

THERE ARE SEVERAL OTHER COURTS IN MARYLAND. REMEMBER, EACH COURT ONLY HAS THE POWER TO ACT ON ISSUES GIVEN TO IT BY THE CONSTITUTION OR LAWS OF THE UNITED STATES OR AN INDIVIDUAL STATE.

THE ORPHANS COURT IS THE COURT IN MARYLAND THAT HANDLES WILLS, ESTATES AND OTHER PROBATE MATTERS – MATTERS THAT INVOLVE THE BELONGINGS OR PROPERTY OF SOMEONE NOW DECEASED.

THE ORPHANS COURT ALSO HAS AUTHORITY TO APPOINT GUARDIANS OF THE PERSON OR PROPERTY, WHEN THAT PERSON IS NOT ABLE TO MAKE DECISIONS ON THEIR OWN OR MANAGE THEIR OWN PROPERTY.

THE ORPHANS COURT CAN ALSO TAKE STEPS TO PROTECT THE ESTATES OF MINORS WHO REMAIN UNDER THEIR PARENTS' AUTHORITY.

FINALLY, THERE ARE FEDERAL COURTS IN MARYLAND.

FEDERAL COURTS ARE AUTHORIZED BY THE U.S. CONSTITUTION TO DEAL WITH ISSUES INVOLVING LAWS PASSED BY CONGRESS.

MARYLAND STATE COURTS, ON THE OTHER HAND HEAR CASES INVOLVING STATE LAWS.

THE FEDERAL TRIAL COURT IS CALLED THE "FEDERAL DISTRICT COURT." THIS COURT IS DIFFERENT FROM THE MARYLAND DISTRICT COURT WHICH WE DESCRIBED EARLIER.

FEDERAL COURTS HEAR A RANGE OF MATTERS GOVERNED BY FEDERAL LAW INCLUDING BANKRUPTCY. . .

MATTERS INVOLVING PERSONS OR CORPORATIONS FROM DIFFERENT STATES, IMMIGRATION MATTERS AND LAWS BROUGHT UNDER THE FEDERAL CONSTITUTION....

A PERSON CAN APPEAL A FEDERAL COURT DECISION BY FILING AN APPEAL WITH A FEDERAL APPEALS COURT. DECISIONS OF THOSE APPELLATE COURTS ARE APPEALABLE TO THE SUPREME COURT OF THE UNITED STATES. THE U.S. SUPREME COURT, LIKE THE MARYLAND COURT OF APPEALS, DECIDES WHICH CASES IT WILL TAKE, AND NOT ALL MATTERS ARE ACCEPTED BY THE COURT FOR REVIEW. THE CASES THE JUSTICES CHOOSE TO HEAR ARE USUALLY THOSE THAT WILL HAVE IMPORTANT LEGAL SIGNIFICANCE FOR THE COUNTRY.

THE OFFICE OF ADMINISTRATIVE HEARINGS IS ANOTHER TYPE OF BODY IN MARYLAND THAT HOLDS HEARINGS.

INDIVIDUALS FROM THE OFFICE OF ADMINISTRATIVE HEARINGS WHO CONDUCT THESE PROCEEDINGS ARE CALLED "ADMINISTRATIVE LAW JUDGES." WHEN A MARYLAND RESIDENT DISAGREES WITH AN ACTION TAKE BY A STATE AGENCY, THAT PERSON MAY APPEAR BEFORE AN ADMINISTRATIVE LAW JUDGE AND ASK THE JUDGE TO REVIEW THE AGENCY'S DECISION.

THE ADMINISTRATIVE LAW JUDGE DOES NOT WORK FOR THAT AGENCY AND MUST PROVIDE AN IMPARTIAL REVIEW.

LET'S REVIEW WHAT WE HAVE COVERED:

THERE ARE FOUR COURTS IN MARYLAND – TWO TRIAL COURTS AND TWO APPELLATE. THE DISTRICT COURT OF MARYLAND HEARS TRAFFIC CASES, HOUSING, SMALL CLAIMS AND DOMESTIC VIOLENCE CASES, NON-JURY CRIMINAL TRIALS, AND LAWSUITS INVOLVING CLAIMS UNDER \$30,000.

THE CIRCUIT COURT HEARS JUVENILE AND FAMILY MATTERS, SERIOUS CRIMINAL MATTERS INCLUDING ALL CIVIL AND CRIMINAL CASES INVOLVING JURY TRIALS, AND CIVIL LAWSUITS WHERE THE CLAIM IS OVER \$30,000.

THERE ARE TWO APPELLATE COURTS – THE COURT OF SPECIAL APPEALS WHERE A PERSON CAN HAVE AN APPEAL FROM CIRCUIT COURT HEARD AS A MATTER OF RIGHT, AND THE COURT OF APPEALS WHICH CHOOSES SOME CASES EACH YEAR TO REVIEW.

FINALLY THERE ARE SEVERAL ADDITIONAL COURTS YOU SHOULD KNOW ABOUT:

THE ORPHANS COURT, WHICH IS PART OF THE MARYLAND JUDICIARY, HEARS ESTATES, WILLS AND OTHER PROBATE MATTERS.

AND THE FEDERAL COURT SYSTEM WHICH INCLUDES FEDERAL DISTRICT COURTS, FEDERAL APPEALS COURTS AND THE UNITED STATES SUPREME COURT.

WE HOPE YOU HAVE FOUND THIS INFORMATION HELPFUL.
IT IS IMPORTANT TO UNDERSTAND HOW THE JUSTICE SYSTEM WORKS. REMEMBER THE LAWS AND THE COURTS OF MARYLAND BELONG TO ALL OF US.